

is applicable to the present claims, and reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants note that by the present amendment, claim 44 has been amended to only recite the feature of regulating a flow of coolant, with the features deleted from claim 44 now being presented in dependent claim 51, and claim 45 amended to depend from claim 51. Claim 52 corresponds essentially to previous claim 44, written in independent form incorporating the features of its parent claim 38 therein, and independent claim 54 corresponds to claim 46 written in independent form incorporating the features of its parent claim 38 therein, with claim 53 corresponding to claim 45 dependent upon claim 52, and claims 55-57 corresponding to claims 47-49 dependent directly or indirectly from claim 54. Thus, applicants submit that newly presented claims 50-57 all fall within invention II.

Since the claims of invention I have been cancelled without prejudice to the right to file a divisional application directed thereto, only inventions II and III as indicated by the Examiner, are retained for consideration herein. While the Examiner contends that such inventions are related as combination and subcombination, applicants submit that consideration must be given to the invention as claimed. Since claims 44-46 are necessarily part of invention II and are in dependent form, applicant submit that while the Examiner contends that there is a separate status in the art

as shown by the different classification, it is a requirement that since dependent claims 44-49 are considered to incorporate the features of their parent claims therein, the classification for invention III of parent claim 38 must be necessarily considered in the classification of the independent claims 44-49 of invention II and there is no burden on the Examiner concerning search nor consideration of such claimed subject matter. Likewise, the same search should be necessary for claims 52-57. Thus, applicants submit that the inventions II and III as considered by the Examiner should be considered herein, and the restriction withdrawn.

In order to provide a complete response to the restriction requirement, applicants provisionally elect with traverse, invention II including claims 24-29, 44-49 and 50-57, with applicants submitting that claims 38-43 should also be considered at this time.

With regard to the requirement for an election of one of the species indicated as R - T upon election of one the inventions identified as I - III, as set forth in paragraph 3 at page 3 of the Office Action, applicants traverse this requirement, noting that as recognized by the Examiner, at least claim 24 of invention II is a generic claim and therefore, the requirement for election of species should be withdrawn.

In order to provide a proper response to this election requirement, applicants provisionally elect, with traverse,

species indicated as R and submit that claims 24-29 and 44-57 are readable on the elected species.

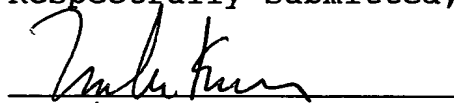
With respect to the further requirement for election of one of the species identified as A - J, as set forth in paragraph 4 at page 4 of the Office Action, this requirement is traversed in that hereagain, generic claims are present, such that this requirement should be withdrawn.

In order to provide a complete response to this further election requirement, applicants provisionally elect, with traverse, the further species B and applicants submit that claims 24-29 and 44-57 are readable thereon.

In view of the above amendments and remarks, applicants request withdrawal of the restriction and election requirements and favorable action with respect to all claims present in this application.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (501.25507CX5) and please credit any excess fees to such deposit account.

Respectfully submitted,



Melvin Kraus  
Registration No. 22,466  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cec  
(703) 312-6600